

UNITED STATES DISTRICT COURT
DISTRICT OF NORTH DAKOTA

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AFFIDAVIT

I, Christopher Potts, being first duly sworn, hereby depose and state as follows:

INTRODUCTION AND AGENT BACKGROUND

1. I am a Special Agent with the Federal Bureau of Investigation (“FBI”), and have been so employed since September 2018. I am currently assigned to a squad that investigates violent crime, narcotics distribution, and crimes against children in Indian Country. Before working crimes in Indian Country, I spent approximately two years investigating gang-related crime in Chicago, IL. I have experience investigating criminal conspiracies and have worked extensively with confidential sources.

- This affidavit is submitted in support of a criminal complaint alleging that **NATHANIEL SHOWERS**, did possess with intent to distribute a controlled substance, namely fentanyl.

2. Because this affidavit is being submitted for the limited purpose of establishing probable cause in support of a criminal complaint charging SHOWERS with violating 21 U.S.C § 841, I have not included each and every fact known to me concerning this investigation.

3. The facts in this affidavit come from my personal observations and knowledge, my training and experience, and information obtained from other law enforcement personnel, including the Drug Enforcement Administration (DEA), the Fargo Police Department, and the Chicago Police Department.

PROBABLE CAUSE

October 29, 2023, TRAFFIC STOP OF NATHANIEL SHOWERS (Alias “Eric Williams” and “Benjamin Perryman”)

- I reviewed a police report drafted by Fargo Police Department (FPD) Police Officer Jonas Duncan that describes a traffic stop and interaction that he had with SHOWERS on or about October 29, 2023. I have included summarized portions of the report below:
- Officer Duncan observed a black Chevrolet Impala commit a traffic violation and initiated a traffic stop. The officer noted that there was a single, black male occupant in the vehicle. The male told the officer that he did not have a valid driver’s license but provided the name “Eric Williams” and a date of birth to the officer. He told officers that he had a Minnesota identification under that name. The officer was unable to find Minnesota or North Dakota records with that information in his database.
- The officer asked the driver for additional forms of identification, social security number, or social media accounts that could help verify his identity. The male was unable to provide that information. The officer suspected that the male was not being truthful about his identity.
- Another officer arrived and the male was directed to exit the vehicle. The male complied and consented to a search of his person prior to

being secured in the prisoner compartment of a patrol vehicle. The male continued providing the name “Eric Williams” to the officer.

- The officer search by the date of birth that was provided by the male and located a booking photograph of “Benjamin Perryman” who he believed shared the same physical appearance as the male in his custody. The officer confronted the male with the information. The male claimed to be “Eric Benjamin Williams.” The officer discovered that “Benjamin” had a revoked Minnesota driver’s license.
- The officers requested a K9 unit to respond to their location. Officer Brett Musich of the Moorhead Police Department responded. A K9 conducted a sniff of the vehicle and alerted to the possible presence of narcotics.
- The male, who admitted to being “Benjamin” was advised of his rights and acknowledged that he understood them. Benjamin told the officers that there was “weed” in the center console and “pills” in an undisclosed location. He did not want to provide further detail on the location of the pills.
- During the search, officers discovered the following items:
- Ziploc bag containing approximately 8.7 grams of loose suspected marijuana.

- Ziploc bag containing approximately 14 grams of loose suspected marijuana.
- Plastic bags containing approximately 79.5 grams of loose suspected marijuana.
- Individual plastic bags containing 120 grams of suspected M30 Fentanyl pills.
- Individual plastic bags containing 4 grams of suspected Fentanyl powder.
- Plastic bag containing 42.2 grams of suspected Fentanyl powder.
- Silver grinder with suspected Fentanyl residue.
- Fuzion Pro Armoured digital scale with suspected Fentanyl residue.
- Approximately \$3,588 was discovered and seized.

October 30, 2023, DEA INTERVIEW WITH SHOWERS

- I reviewed a report drafted by DEA Task Force Officer (TFO) Paul Cichos that detailed a consensual interview that SHOWERS had with law enforcement on or about October 30, 2023.¹ I have included summarized portions of the report below:

¹ SHOWERS continued to identify himself as Benjamin Perryman throughout the interview. Law enforcement did not discover his true identity until November 1, 2023.

- SHOWERS indicated that he had moved to Fargo in October 2022 after his friend, DAMONTE COMBS told him that he could make money in Fargo by selling drugs.
- SHOWERS told law enforcement that MAURICE HAYMON was not his main supplier, but he had provided SHOWERS with narcotics in the past. SHOWERS met HAYMON at an address located at 1544 East Gateway Circle in Fargo, ND.
- HAYMON asked SHOWERS about the traffic stop that he was involved in the previous day. SHOWERS told HAYMON that “Liz” had set him up to get stopped by the police. SHOWERS noted that he owed \$5,000 to \$6,000 to HAYMON and that he was able to obtain pills from many different people.
- SHOWERS picked up between 2,000 and 5,000 pills at one time. His main source was “D,” which was an alias for COMBS, but he was locked up at that time. HAYMON or “REESE” was the person who SHOWERS would otherwise call for pills.
- SHOWERS noted that HAYMON maintained a storage unit that may have contained firearms. He was not sure where the unit was located but speculated that it was located on Main Avenue in Fargo. HAYMON told him about it during a Facetime call.

- SHOWERS acknowledged that he was arrested in Chicago in the summer of 2023.
- SHOWERS noted that a Minneapolis based supplier named “WIC” sold to COMBS directly but not HAYMON.

October 31, 2023, TRAFFIC STOP AND ARREST OF SHOWERS

- I reviewed a police report drafted by Fargo Police Department (FPD) Police Officer David Wheeler that describes a traffic stop and interaction that he had with SHOWERS on or about October 31, 2023. I have included summarized portions of the report below:
- The officer informed the driver, who was later identified as SHOWERS, that he did not have his lights on. SHOWERS told the officer that his license was suspended, and he did not have his identification with him. SHOWERS provided the name “Benjamin Pery” to the officer. The officer attempted to locate records for that name in a law enforcement database. He was not successful in finding an exact match but located the name “Benjamin Perryman” and a previous traffic stop in which narcotics were located.
- During his database search, the officer noticed a female, later identified as ASHLEY STEVENS, approach SHOWERS’s vehicle. They engaged in a brief conversation before STEVENS walked away from the vehicle and toward the entrance of 4255 9th Ave Circle S in Fargo,

ND.

- SHOWERS told the officer that the female was a friend that he was meeting. SHOWERS was asked to step out of his vehicle and complied. SHOWERS consented to a search of his person and a bag of Marijuana was located. A second officer, James Tabert, searched SHOWERS and located a bag of meth. SHOWERS was detained and placed into the prisoner compartment of a patrol vehicle.
- Officers spoke with STEVENS, who was still standing in the area of the previously mentioned address. STEVENS told officers that she had known SHOWERS since they were teenagers but she did not know his real name. She told the officers that people call SHOWERS, "BLUE."
- Officers asked SHOWERS to verify his date of birth. He refused to answer the question and was asked multiple times. SHOWERS provided officers with a different birthday than he previously gave them, refused to provide his middle name, and refused to provide his social security number.
- SHOWERS eventually provided his name to DEA Task Force Officer (TFO) Paul Cichos, who had arrived at the scene. SHOWERS provided several names and dates of birth to the officers that it took the "dispatch an extensive amount of time to figure out who he was." SHOWERS eventually provided his real name and officers learned that

he provided a “multitude of fake names over the last 10 years.” Officers learned that SHOWERS had several warrants from Illinois, Wisconsin, and Minnesota.

- Officers learned that SHOWERS had previously been found with large amounts of narcotics in his vehicle two days prior to this interaction and conducted an additional search of the vehicle. SHOWERS’s phone was seized, along with 1.5 grams of suspected meth (with packaging), 14.8 grams of Marijuana (with packaging), and \$4,463.54 that was located in SHOWERS’s possession. SHOWERS was arrested and transported to the Cass County Jail.

- I conducted a proffer interview with cooperating coconspirator 1 (CC1) on or about September 19, 2024, in which she described his/her involvement in narcotics trafficking.² During the interview, he/she described an individual who he/she knew as “BLUE” and indicated that he/she knew his real name as NATHANIEL. I showed a photograph of SHOWERS to CC1. The photograph did not list any identifying information. CC1 identified the photograph of SHOWERS as “BLUE.” I have included summarized portions of her interview below.

- CC1 had not seen SHOWERS since their trip to Chicago. CC1 and SHOWERS went to an area in Chicago that he/she referred to as the

² CC1 was in custody for her alleged involvement in a narcotics conspiracy. CC1 has been federally charged and agreed to cooperate with the United States Government.

ghetto. He/She did not remember any landmarks, but he/she noted that they were going to get narcotics from BLUE's cousin. His name was PLUCK and he lived in a large brick apartment inside of the city.

- BLUE went into the apartment. CC1 did not go into the apartment and did not know how much drugs BLUE brought back to the vehicle. BLUE did not show them. CC1 indicated that, after they left the apartment, BLUE started to get "jealous" of CC1 and another male in the vehicle with whom he/she was romantically involved. His name was MAURICE. CC1 did not realize that BLUE already had the drugs and he/she noted that BLUE was sitting in the back of the car. CC1 crossed a line while he/she was driving the vehicle. CC1 was pulled over by the police and BLUE was removed from the vehicle. BLUE was searched and a firearm and Fentanyl were found.

CHICAGO POLICE DEPARTMENT ARREST OF SHOWERS

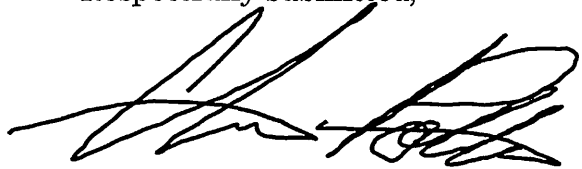
- I reviewed a report drafted by Police Officers of the Chicago Police Department that described an arrest of SHOWERS that took place on or about August 30, 2023. I have included summarized portions of the reports below:
- Officers conducted a stop on a vehicle that committed traffic violations in the area of 4520 South State Street, Chicago, IL 60609 on or about August 30, 2023.

- As officers approached the vehicle, they observed a male, who they learned to be “Phillip Mcneal,” with a bulge in his right pant pocket. The male was instructed to step out of the vehicle and a protective pat down was conducted. Officer located a Smith and Wesson, FNS-40, 40 Caliber, semi-automatic pistol. The firearm was loaded.
- SHOWERS was placed into custody and an additional search was conducted. Officers located a clear knotted bag with “suspect Heroin” in his right pocket. The bag weighed approximately 50 grams.
- SHOWERS, whose true name was still not known, was arrested. He requested that his personal property be turned over to KELLY DIONNE and “MAURICE.”³
- I reviewed an additional report that was created by the Chicago Police Department on or about January 25, 2024, that documented notification from the Cook County Sheriffs Office that SHOWERS had been previously extradited from North Dakota. The report documents a transfer of custody from the Sheriff's Office to the Chicago Police Department. The report shows that officers were able to officially determine SHOWERS true name and identity.

³ I reviewed a photograph of Phillip Mcneal from the arrest and compared it to a government issued identification photograph of SHOWERS. I believe that the photographs show the same individual.

4. Based on the above, I respectfully submit this probable cause for your review and consideration.

Respectfully submitted,

A handwritten signature in black ink, appearing to read 'Christopher Potts', written over a horizontal line.

Christopher Potts
Special Agent
Federal Bureau of Investigation

Sworn to and affirmed by reliable electronic means on December 9, 2024.

A handwritten signature in black ink, appearing to read 'Alice R. Senechal', written over a horizontal line.

Alice R. Senechal
Magistrate Judge
United States District Court
North Dakota